

DAVIDSSON et al
Serial No. 09/994,944

Atty Dkt: 4015-6
Art Unit: 2667

REMARKS/ARGUMENTS

Reexamination of the captioned application is respectfully requested.

A. SUMMARY OF THIS AMENDMENT

By the current amendment, Applicants basically:

1. Editorially amend the specification.
2. Cancel claims 1, 25, 31, and 53 without prejudice or disclaimer.
3. Amend claims 4, 5, 15, and 51 to overcome the rejections under 35 USC §112, second paragraph.
4. Rewrite claims 4, 14, 23, 26, 34, 43, 51, and 54 as independent claims, thereby rendering these claims and all remaining claims allowable (since none of the rewritten claims were rejected on the basis of prior art).
5. Amend the dependency of claims 2 and 3 so that claims 2 and 3 now depend upon independent claim 4.
6. Amend the dependency of claims 32 and 33 so that claims 32 and 33 now depend upon independent claim 34.
7. Advise the Examiner of the simultaneous filing of a replacement drawing sheet (sheet 3/11) for amending Fig. 3 to include the reference numeral 30 complained as absent in enumerated paragraph 3 of the Office Action.
8. Supply proof of previous filing of the Cimini reference (see enumerated paragraph 1 of the Office Action) and a further copy thereof, and request that the Cimini reference be officially cited by returning the attached PTO-1449 with appropriate indication of citation.

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B. PATENTABILITY OF THE CLAIMS

Claims 1-3 and 31-33 stand rejected under 35 USC §102(e) as being clearly anticipated by U.S. Patent 6,876,672 to Castelain. Claims 1-3, 25, 31-33 and 53 stand rejected under 35 USC §102(b) as being clearly anticipated by U.S. Patent 5,959,965 to Ohkubo et al. All prior art rejections are respectfully traversed for at least the following reasons.

Claims 4, 14, 23, 26, 34, 43, 51, and 54 were not rejected on the basis of prior art. Claims 4, 14, 23, 26, 34, 43, 51, and 54 have been rewritten as independent claims, thereby rendering these claims and all remaining claims allowable.

C. INFORMATION DISCLOSURE STATEMENT

Enumerated paragraph 1 of the Office Action indicates that a particular reference (Cimini, Jr., "Analysis and Simulation of a Digital Mobile Channel Using Orthogonal Frequency Division Multiplexing", vol. COM-33, No. 7, IEEE Transactions on Communications, July 1985, pp. 665-675), included in the IDS filed January 16, 2002, is not in the PTO record. This reference was not acknowledged on the PTO-1449 returned with the Office Action.

As a courtesy applicants attach another copy of the Cimini reference, as well as a post card receipt proving filing of, e.g., three articles on January 16, 2002, and a further PTO-1449 listing only the Cimini reference. It is respectfully requested that the Cimini reference be officially cited by returning the attached PTO-1449 with appropriate indication of citation.

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D. MISCELLANEOUS

In view of the foregoing and other considerations, all claims are deemed in condition for allowance. A formal indication of allowability is earnestly solicited.

The Commissioner is authorized to charge the undersigned's deposit account #14-1140 in whatever amount is necessary for entry of these papers and the continued pendency of the captioned application.

Should the Examiner feel that an interview with the undersigned would facilitate allowance of this application, the Examiner is encouraged to contact the undersigned.

Respectfully submitted,

NIXON & VANDERHYE P.C.

By:



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Attachment:

- (1) Replacement drawing sheet (sheet 3/11) for amending Fig. 3
- (2) Proof of filing of IDS on January 16, 2002 (post card receipt)
- (3) copy of Cimini, Jr., "Analysis and Simulation of a Digital Mobile Channel Using Orthogonal Frequency Division Multiplexing", vol. COM-33, No. 7, IEEE Transactions on Communications, July 1985, pp. 665-675;
- (4) PTO 1449 listing (3)